

Senate Amendment to
House File 700

H-1165

1 Amend House File 700, as passed by the House, as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 155A.29, Code 2019, is amended to read
5 as follows:

6 **155A.29 Prescription refills.**

7 1. Except as specified in subsection 2 or 3, a prescription
8 for any prescription drug or device which is not a controlled
9 substance shall not be filled or refilled more than eighteen
10 months after the date on which the prescription was issued and
11 a prescription which is authorized to be refilled shall not be
12 refilled more than twelve times.

13 2. A pharmacist may exercise professional judgment by
14 refilling a prescription without prescriber authorization if
15 all of the following are true:

16 a. The pharmacist is unable to contact the prescriber after
17 reasonable ~~effort~~ efforts.

18 b. Failure to refill the prescription might result in
19 an interruption of therapeutic regimen or create patient
20 suffering.

21 c. The pharmacist informs the patient or the patient's
22 representative at the time of dispensing, and the practitioner
23 at the earliest convenience that prescriber reauthorization is
24 required.

25 ~~3.~~ d. Prescriptions may be refilled once pursuant to
26 subsection 2 for a period of time reasonably necessary for the
27 pharmacist to secure prescriber authorization.

28 3. a. In addition to the authorization for a pharmacist to
29 refill a prescription without prescriber authorization pursuant
30 to subsection 2, a pharmacist may exercise professional
31 judgment and refill a prescription for and dispense insulin
32 without prescriber authorization if all of the following
33 conditions are met:

34 (1) The pharmacy has a record of the patient's expired
35 prescription.

1 (2) The pharmacist is unable to contact the prescriber after
2 reasonable efforts.

3 (3) The insulin is essential to the health of the patient
4 and the patient will be harmed if the insulin is not dispensed.

5 b. The pharmacist may dispense insulin pursuant to this
6 subsection in an amount not to exceed a thirty-day supply and
7 only once in a twelve-month period.

8 4. An authorization to refill a prescription drug order
9 shall be transmitted to a pharmacy by a prescriber or the
10 prescriber's authorized agent pursuant to [section 155A.27](#),
11 except that prescription drug orders for controlled substances
12 shall be transmitted pursuant to [section 124.308](#), and, if not
13 transmitted directly by the practitioner, shall also include
14 the name and title of the practitioner's agent completing the
15 transmission.

16 Sec. 2. NEW SECTION. 514C.18A Insulin coverage.

17 1. Notwithstanding the uniformity of treatment requirements
18 of section 514C.6, a policy or contract providing for
19 third-party payment or prepayment of insulin when prescribed
20 by a practitioner as defined in section 155A.3, shall provide
21 coverage for insulin dispensed without authorization pursuant
22 to section 155A.29, subsection 3, for an amount not to exceed a
23 thirty-day supply and only once in a twelve-month period.

24 2. a. This section applies to the following classes of
25 third-party payment provider contracts or policies delivered,
26 issued for delivery, continued, or renewed in this state on or
27 after July 1, 2019:

28 (1) Individual or group accident and sickness insurance
29 providing coverage on an expense-incurred basis.

30 (2) An individual or group hospital or medical service
31 contract issued pursuant to chapter 509, 514, or 514A.

32 (3) An individual or group health maintenance organization
33 contract regulated under chapter 514B.

34 (4) Any other entity engaged in the business of insurance,
35 risk transfer, or risk retention, which is subject to the

1 jurisdiction of the commissioner.

2 (5) A plan established pursuant to chapter 509A for public
3 employees.

4 *b.* This section shall not apply to accident-only,
5 specified disease, short-term hospital or medical, hospital
6 confinement indemnity, credit, dental, vision, Medicare
7 supplement, long-term care, basic hospital and medical-surgical
8 expense coverage as defined by the commissioner, disability
9 income insurance coverage, coverage issued as a supplement
10 to liability insurance, workers' compensation or similar
11 insurance, or automobile medical payment insurance.>

12 2. Title page, by striking lines 1 and 2 and inserting
13 <An Act relating to the dispensing of insulin in emergency
14 situations, and providing for insurance coverage.>